

### **REMARKS**

Claims 1-45 are pending in the present application. By this reply, claims 40-45 have been added. Claims 1, 17 and 29 are independent.

The claims have been amended to clarify the invention according to U.S. practice. These modifications are fully supported by the original disclosure and do not add new matter. For instance, new claims 40-45 are fully supported by, e.g. page 3, lines 24-26 and page 10, lines 29-32 of the specification.

### **35 U.S.C. § 102 Rejection**

Claims 1-39 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Ide (JP 11227306A). This rejection, insofar as it pertains to the presently pending claims, is respectfully traversed.

Without acquiescing to any of the Examiner's allegations made in rejecting these claims, to expedite prosecution only, independent claims 1, 17 and 29 have been amended to recite that "the predetermined (delay) time is varied". This feature is clearly absent from Ide.

Ide is directed to a printer system in which the change in the state of the printer is quickly notified to an appropriate person. In Ide, when a certain warning state occurs, the warning content is notified to an administrator. In the event when a process relative to the warning content is not made for a predetermined *fixed* time or longer, the warning is notified to another administrator. Thus, the wait period in Ide is fixed and is not varied, e.g. page 2 of the English translation of Ide indicates "fixed time amount".

In clear contrast, in Applicants' invention, a predetermined (delay) time as recited in independent claims 1, 17 and 29 is varied. For example, see page 3, lines 24-26 and page 10, lines 29-32 indicating that the predetermined delay time may be varied dynamically based on, e.g., system time, or is vary statically by a key operator and/or user, e.g., based on preferences and/or system environment, etc.

Therefore, Ide fails to anticipate each of independent claims 1, 17 and 29. Accordingly, the rejection is improper and should be withdrawn.

**Conclusion**


For the foregoing reasons and in view of the above clarifying amendments, the Examiner is respectfully requested to reconsider and withdraw all of the objections and rejections of record, and to provide an early issuance of a Notice of Allowance.

Should there be any outstanding matters which need to be resolved in the present application, the Examiner is respectfully requested to contact Esther H. Chong (Registration No. 40,953) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: July 22, 2005

Respectfully submitted,

By  Esther Chong #40,953  
Raymond C. Stewart  
Registration No.: 21,066  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant